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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/774,718	02/09/2004	Christina Cacioppo	2003-0029 (1014-058)	9558
26652	7590	01/25/2006	EXAMINER	
AT&T CORP. P.O. BOX 4110 MIDDLETOWN, NJ 07748			WOO, STELLA L	
			ART UNIT	PAPER NUMBER
			2643	

DATE MAILED: 01/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/774,718

Applicant(s)

CACIOPPO ET AL.

Examiner

Stella L. Woo

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The current title refers to "911 calls." However, the claims are directed to "non-911" calls (claim 1, line 3; claim 19, line 3; claim 20, line 3).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 6-11, 14-17, 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Loomis et al. (US 5,625,668, hereinafter "Loomis") in view of Bruce et al. (US 6,765,998 B2, hereinafter "Bruce").

Regarding claims 1, 19 and 20, Loomis discloses a method comprising:

receiving from a user-operated telecommunications device a user-initiated communication to a non-911 communications address (user of cellular telephone 12 dials a special access non-emergency telephone number; col. 3, lines 55-57);

automatically providing a user with a spoken current location of a user-associated telecommunications device (a speech synthesizer 94 provides the user with a spoken street address or cross-street location of the user's cellular telephone 12; col. 3, line 57 – col. 4, line 6).

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Loomis differs from claims 1, 19, and 20 in that it does not teach requesting from the user verification of the current location. However, Loomis teaches that position accuracy can be degraded, requiring the use of differential correction signals using a beacon station (col. 3, lines 20-28, 45-54). Bruce teaches the desirability of confirming an automatically identified location by requesting from the caller the current location (col. 4, lines 60-64) such that it would have been obvious to an artisan of ordinary skill to incorporate such user verification, as taught by Bruce, within the method of Loomis in order to ensure that a correct current location is provided to the user.

Regarding claims 6-8 and 10, in Loomis, the database processing facility 22 receives the latitude, longitude and bearing information of the cellular telephone 12 via GPS receiver 14, cellular telephone transceiver 16 and cellular station 20 (col. 2, lines 1-48; Figure 1), which provide ALI service to "911" facility 24 (col. 2, lines 39-59).

Regarding claim 9, in Loomis, location information can be determined by triangulation (col. 6, lines 17-27).

Regarding claim 11, in Loomis, data processing facility 22 provides location information to a "911" facility 24 (col. 2, lines 39-59).

Regarding claims 14-15, 17, in Loomis, the user-operated device and the user-associated device are the same (cellular telephone 12; col. 3, line 55 – col. 4, line 6).

Regarding claim 16, in Loomis, the spoken current location is provided by speech synthesizer 94 after having been converted from text (col. 4, lines 16-27).

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4. Claims 12 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Loomis in view of Bruce, as applied to claim 1 above, and further in view of Larkins et al. (US 6,091,957, hereinafter "Larkins").

The combination of Loomis and Bruce differs from claim 12 in that it does not specify wireless packet data. However, Larkins teaches the well known use of Cellular Digital Packet Data (CDPD) protocols in a location determining system (col. 2, line 42) such that it would have been obvious to an artisan of ordinary skill to incorporate such use of wireless packet data protocol, as taught by Larkin, within the combination of Loomis and Bruce.

Regarding claim 18, Larkins teaches that the telecommunications unit 28 can be a land-based wired telephone (col. 2, lines 14-16).

5. Claims 2-5, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Loomis and Bruce, as applied to claim 1 above, and further in view of Chern et al. (US 6,456,854, hereinafter "Chern").

The combination of Loomis and Kepler differs from claims 2-5 in that it does not specify receiving a communications address, receiving at an Internet site or recording a communications address. However, Chern, from the the same field of endeavor, teaches the desirability of requesting the location of a mobile telephone from a Web site in which a requesting user enters the unique identifier of the specific mobile telephone device whose location is desired (col. 7, lines 5-20). Chern further teaches recording the current location of the associated mobile telephone at a Web server via recorder 268 (col. 6, lines 29-39; col. 8, lines 21-25). It would have been obvious to an artisan of

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ordinary skill to incorporate such location tracking over the Internet, as taught by Chern, within the method of Loomis and Bruce as additional use of a mobile telephone's current location.

Regarding claim 13, Chern teaches the user manually sending current location information to the Web server (col. 6, lines 11-34) such that it would have been obvious to an artisan of ordinary skill to have the user send current location data to a provided communications address (Web server address), as taught by Chern, within the method of Loomis and Bruce in order to provide the most current location data.

Response to Arguments

6. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new grounds of rejection.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fan et al. and Dunko et al. show other location determining systems.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stella L. Woo whose telephone number is (571) 272-7512. The examiner can normally be reached on Monday-Tuesday, Thursday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Stella Woo', with a long horizontal line extending to the right.

STELLA WOO
PRIMARY EXAMINER